

Serial No. 09/884,921

Amendment Dated:

Reply to Office Action Mailed: October 19, 2005

Attorney Docket No. 101873.56480US

REMARKS

Claims 1-3, 5-19, 22-29, and 31-33 are pending in the application.

Claims 5 and 15 are objected to by the Examiner. Claim 5 is objected to because it depends on itself. Claim 15 is objected to because it depends on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By the present Amendment, Applicants amend claim 5 to correct its dependency. Also, Applicants amend claim 15 by rewriting it in independent form.

Claims 1-3, 5-14, 16-19, 22-29, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bharat (U.S. Patent 6,577,735) in view of Golan (U.S. Patent 5,974,549).

Applicants submit that the prior art fails to teach or suggest all of the limitations of the claims of the present application. The Examiner concedes that Bharat does not disclose the feature of claim 1 of intercepting an I/O request from a computer to an external storage media drive in which the external storage media is inserted. The Examiner asserts that Golan makes up for this deficiency of Bharat, but Applicants respectfully disagree. Golan does not disclose intercepting an I/O request from a computer to an external storage media drive in which the external storage media is inserted. Instead, Golan discloses intercepting application interface (API) calls by a software component

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downloaded to a computer to an operating system of the computer. Although the software component may have been downloaded from an external source, it is the operating system of the computer, not an external storage media, to which the API calls are made. *See col. 4, line 62 – col. 5, line 14 of Golan.* These are the API calls that Golan describes as being intercepted. *See col. 5, lines 6-9.* Golan fails to disclose intercepting an I/O request from a computer to an external storage media drive in which the external storage media is inserted. Therefore, claim 1 is allowable over the prior art.

Applicants submit that there is no teaching, suggestion, or motivation to combine the teachings of Bharat and Golan. The Examiner asserts that it is obvious that the teachings of Bharat would have been further protected from unknown software loaded from an external source as disclosed by Golan, but Applicants respectfully disagree. Bharat relates to a system for creating an encrypted backup copy of compressed audio data downloaded onto a portable audio player from a computer. By creating the encrypted backup copy, the inconvenience of re-loading lost data onto the portable audio player can be reduced, and illicit duplication of the audio data can be avoided. By contrast, Golan relates to a security monitor for monitoring unknown software downloaded from an external source, such as the Internet, to a computer. Golan's teachings of monitoring an unknown software downloaded to a computer are unrelated to the teachings of Bharat of creating a backup copy of known

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audio data downloaded to a portable audio player. Therefore, claim 1 is allowable for this additional reason.

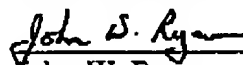
Independent claims 18 and 22 are allowable over the prior art for reasons analogous to those for claim 1.

Claims 2, 3, 5-14, 16, 17, 19, 21, 23-29, and 31-33 are allowable at least because of their dependence from claims 1, 18, and 22, respectively.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #101873.56480US).

Respectfully submitted,



1-19-06

John W. Ryan

Registration No. 33,771

Cameron W. Beddard

Registration No. 46,545

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JWR:CWB:crr
2687437_1